

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

JORGE IVAN VALENCIA OSORNO,

Petitioner,

v.

PATRICIA HYDE, Field Office Director,  
MICHAEL KROL, HIS New England Special  
Agent in Charge,  
TODD LYONS, Acting Director U.S.  
Immigrations and Customs Enforcement, and  
KRISTI NOWM, U.S. Secretary of Homeland  
Security,

Respondents.

Civil Action No. 1:25-CV-11592-NMG

**THE RESPONDENTS' RESPONSE TO THE COURT'S ORDER (Docket No. 8)**

The Respondents, by and through their Attorney, Leah B. Foley, United States Attorney for the District of Massachusetts, herein file this Response to the Court's Order (Docket No. 8). As grounds for this Response counsel for the Respondents states as follows:

1. The Petitioner entered ICE custody on May 31, 2025 (Exhibit 1, Declaration of Keith M. Chan, Assistant Field Office Director for U.S. Department of Homeland Security, United States Immigration and Customs Enforcement, Enforcement and Removal Operations, Burlington, Massachusetts);
2. On June 2, 2025, at 6:05PM, the Court issued a Stay of Transfer Order (Id.);
3. On June 3, 2025, ICE inadvertently transferred the Petitioner to the Strafford County Department of Corrections in Dover, New Hampshire (Id.);

4. ICE transferred the Petitioner from the field office in Massachusetts to Dover, New Hampshire due to bed space issues. Given the recency of the order, which was received the evening prior to the transfer, this resulted in an inadvertent administrative error. This was not a deliberate violation of the Stay of Transfer Order (Id.);
5. In connection with this habeas petition, ICE became aware of the error on June 10, 2025. Immediately, ICE took action to transfer the Petitioner back to Massachusetts (Id.); and
6. On June 10, 2025, the Petitioner returned to Massachusetts. Since that date, he has been housed at the Plymouth County Correctional Facility in Plymouth, Massachusetts (Id.).

Wherefore, based on Declaration attached hereto as Exhibit 1, the Respondents state that the transfer of the Petitioner was inadvertent and was immediately rectified upon being realized.

Respectfully submitted,

Leah B. Foley  
United States Attorney

By: /s/ Rayford A. Farquhar  
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### **CERTIFICATE OF SERVICE**

I, Rayford A. Farquhar, Assistant United States Attorney, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated: June 12, 2025

By: /s/ Rayford A. Farquhar  
RAYFORD A. FARQUHAR  
Assistant United States Attorney